



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application of

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GOBLE

OCT 27 2003

Atty. Ref.: 2558-57

Serial No. 10/036,500

TECHNOLOGY CENTER R3700

Group: 3739

Filed: January 7, 2002

Examiner: Vrettakos, Peter J.

For: AN ELECTROSURGICAL SYSTEM AND METHOD

October 21, 2003

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION/ELECTION REQUIREMENT

Sir:

In response to the Office Action, dated September 23, 2003, in the above-identified application, Applicant hereby elects, without traverse, the claims of Group II for further examination in this application.

In this regard, it is noted that a Preliminary Amendment was filed with this application in which the cancellation of claims 1-30 was requested. Copies of this Preliminary Amendment and the USPTO date-stamped post card evidencing its filing are being submitted with this Response.

In view of the previously filed Preliminary Amendment canceling claims 1-30, it is believed that the claims of Group II are now claims 31-47.

If any issues remain regarding Applicant's election of the claims of Group II for further examination, the Examiner is urged to call the undersigned at the number listed below.

GOBLE
Serial No. 10/036,500
Page 2

The foregoing is submitted as a complete response to the outstanding Office
Action identified above. Applicant awaits further action in this application.

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In re Patent Application of

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January 7, 2002

Director for Patents
Washington, DC 20231

OCT 27 2003

TECHNOLOGY CENTER R3700

Sir:

PRELIMINARY AMENDMENT

Please enter the following amendments prior to calculation of the filing fee and examination of this application.

IN THE CLAIMS:

Please cancel claims 1-30 without prejudice or disclaimer.

REMARKS

Please enter the amendments prior to examination. If the Examiner has any questions or believes that an interview would further prosecution of this application, the Examiner is invited to telephone the undersigned.

Respectfully submitted,

NIXON & VANDERHYE P.C.

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Title AN ELECTROSURGICAL SYSTEM AND METHOD

x C-I-P Patent Application

x Preliminary Amendment

34 Pages Specification; (including 1 page)

Abstract)

47 Claims

12 Sheets of Drawings

